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11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13

14 CHARLES P. HAGGARTY and GINA M.  
15 HAGGARTY, on behalf of themselves and all  
others similarly situated,

16 Plaintiff,

17 vs.

18 WELLS FARGO BANK, N.A.,

19 Defendant.  
20  
21  
22

Case No. CV 10 2416

**STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING INITIAL CASE  
MANAGEMENT CONFERENCE TO  
JANUARY 28, 2011;**

**JOINT INITIAL STATUS REPORT**

Honorable Charles R. Breyer

23 Pursuant to the Northern District of California's Civil Local Rule 6-2, Plaintiffs Charles P.  
24 Haggarty and Gina M. Haggarty ("Plaintiffs") and Defendant Wells Fargo Bank, N.A. ("Defendant")  
25 (collectively, the "Parties"), by and through their respective undersigned counsel, hereby stipulate,  
26 subject to Court approval, as follows, concerning the currently scheduled November 12, 2010 Initial  
27 Case Management Conference and the Parties' joint initial status report to the Court.  
28

**RECITALS**

WHEREAS, on October 20, 2010, the Parties filed a Stipulation and [Proposed] Order regarding the filing of an amended complaint;

WHEREAS, on October 22, 2010, the Court entered an Order setting any Motion to Dismiss hearing on Plaintiffs' amended complaint for January 28, 2011;

WHEREAS, on October 22, 2010, the Parties participated in a Federal Rule of Civil Procedure 26(f) conference and scheduled a second Rule 26(f) conference;

WHEREAS, the Parties agreed to reset the deadline for their Rule 26 Initial Disclosures to December 6, 2010;

WHEREAS, the present state of the pleadings are unsettled since the Court has taken Defendant's November 12, 2010 Motion to Dismiss off-calendar and allowed Plaintiffs to file an amended class action complaint by November 5, 2010;

WHEREAS, in consideration of judicial efficiency, the Parties agree that the Court and the Parties would be better served by continuing the presently scheduled November 12, 2010 Initial Case Management Conference to January 28, 2011;

WHEREAS, upon the Court's continuance of the Initial Case Management Conference to January 28, 2011, the Parties will file a Joint Case Management Conference Statement by January 21, 2011.

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1 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by Plaintiffs Charles P. Haggarty  
 2 and Gina M. Haggarty and Defendant Wells Fargo Bank, N.A., through their respective counsel of  
 3 record, as follows:

- 4
- 5 1. The November 12, 2010 Initial Case Management Conference will be taken off-calendar.
- 6 2. The Parties will serve each other with their Initial Disclosures by December 6, 2010.
- 7 3. The Parties will file a Joint Case Management Conference Statement by January 21,
- 8 2011.
- 9 4. The Initial Case Management Conference will be set for January 28, 2011 concurrent
- 10 with the scheduled hearing on Defendant's Motion to Dismiss.

11  
 12 DATED: October 26, 2010

BY: /s/ Dario de Ghetaldi

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*Attorneys for Plaintiffs Charles P. Haggarty and  
Gina M. Haggarty*

DATED: October 26, 2010

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*Attorneys for Defendant Wells Fargo Bank, N.A.*

**ORDER**

Pursuant to the Stipulation of the Parties, IT IS HEREBY ORDERED AS FOLLOWS:

1. The November 12, 2010 Initial Case Management Conference will be taken off-calendar.
2. The Parties will serve each other with their Initial Disclosures by December 6, 2010.
3. The Parties will file a Joint Case Management Conference Statement by January 21, 2011.
4. The Initial Case Management Conference will be set for January 28, 2011 concurrent with the scheduled hearing on Defendant's Motion to Dismiss.

Dated: October 29, 2010

